



#14 Reg for Exam  
3/28/97  
PATENT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicants: M.B. Hollander & W.E. McKinley  
Application No.: 08/617,265  
Filed: March 18, 1996  
For: METHOD AND APPARATUS FOR MEASURING  
TEMPERATURE USING INFRARED TECHNIQUES  
Examiner: D. Gutierrez  
Docket No.: 3108

RECEIVED  
MAR 28 1997  
310

Grimes & Battersby  
P.O. Box 1311  
3 Landmark Square  
Stamford, CT 06904-1311  
March 10, 1997

**RESPONSE AFTER FINAL REJECTION**

Hon. Commissioner of Patents  
and Trademarks  
Washington, DC 20231

Dear Sir:

Responsive to the Office Action mailed February 18, 1997, (Paper No. 3), please consider the following Remarks.

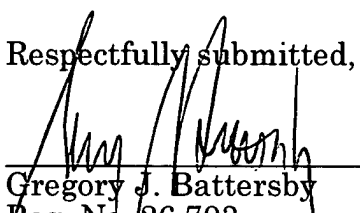
**REMARKS**

The Office Action mailed February 18, 1997 has been carefully considered. Applicants note that claims 1-7 and 9-15 were rejected under the judicially created doctrine of non-statutory double patenting and would be allowable upon the filing of a proper terminal disclaimer. Claim 8 (which depends from claim 1) was objected to and claims 16-24 were allowed over the prior art of record.

On February 21, 1997, applicants submitted a terminal disclaimer along with the PTO filing fee of \$55.00. A copy of this terminal disclaimer is enclosed herewith.

In view of the submission and entry of such terminal disclaimer, applicants submit that all claims are now in condition for immediate allowance. Reconsideration and an early Notice of Allowance are therefore requested.

Respectfully submitted,



---

Gregory J. Battersby  
Reg. No. 26,703  
Attorney for Applicants  
(203) 324-2828



AF

673108

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
PATENT TRANSMITTAL FORM

Applicants:

M.B. Hollander and  
W. E. McKinley

Docket No.: OE003USQ1

Serial No.:

08/617,265

Filed:

March 18, 1996

For:

METHOD AND APPARATUS FOR MEASURING TEMPERATURE USING  
INFRARED TECHNIQUES


THE COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

Sir:

Transmitted herewith is:

- \_\_\_\_\_ 1. Utility Patent Application
- \_\_\_\_\_ 2. Informal Drawings
- \_\_\_\_\_ 3. Formal Drawings
- \_\_\_\_\_ 4. Declaration and Power of Attorney
- \_\_\_\_\_ 5. Small Entity Statement
- \_\_\_\_\_ 6. Assignment
- \_\_\_\_\_ 7. Our firm's check no. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_
- \_\_\_\_\_ 8. Please charge the amount of \$ \_\_\_\_\_ to Deposit Account No. 07-2162 in the name of Grimes & Battersby. A duplicate Copy of this sheet is attached.
- XXXX 9. Postcard
- XXXX 10. Duplicate copy of this letter
- \_\_\_\_\_ 11. New Application Transmittal
- \_\_\_\_\_ 12. Verified statement claiming \_\_\_\_\_
- XXXX 13. Please charge any additional fees or credit any such fees, if necessary to Deposit Account No. 07-2162 in the name of Grimes & Battersby. A duplicate copy of this sheet is attached.
- XXXX 14. RESPONSE AFTER FINAL REJECTION

Respectfully submitted,

  
Gregory J. Battersby  
Reg. No. 26,703  
Grimes & Battersby  
P.O. Box 1311  
Three Landmark Square, Suite 405  
Stamford, Connecticut 06904-1311  
(203) 324-2828

Date: March 12, 1997

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER OF PATENTS AND TRADEMARKS, WASHINGTON, D.C. 20231, ON March 12, 1997.

GREGORY J. BATTERSBY  
NAME OF REGISTERED  
REPRESENTATIVE

  
SIGNATURE

3/12/97  
DATE